

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PDL BIOPHARMA, INC.,)
)
Plaintiff,)
)
v.) No. 1:23-cv-02289-RLY-MKK
)
ELI LILLY AND COMPANY,)
)
Defendant.)

ORDER

This matter comes before the Court on Plaintiff's Unopposed Motion to Maintain Documents Under Seal, Dkt. [51]. Plaintiff represents that (Dkt. 50), Exhibit B to the Declaration of Jordan B. Fernandes in Support of PDL BioPharma, Inc.'s Responsive Brief in Opposition to Eli Lilly and Company's Motion to Dismiss Under Rules 12(b)(1) and 12(b)(6), should be kept under seal. (Dkt. 52 at 1). Plaintiff asserts the document implicates sensitive and non-public business information of a third-party. (*Id.*). Plaintiff states that a less restrictive alternative, such as redaction, will not afford adequate protection because the entirety of the report reflects the third-party's confidential financial analysis. (*Id.* at 2). Plaintiff acknowledges that the document is not material to the resolution of the matter, and that Plaintiff's Responsive Brief in Opposition to Eli Lilly and Company's Motion to Dismiss quotes the relevant portions of the document. (*Id.*).

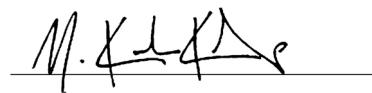
The Court, having reviewed the pleadings, GRANTS Plaintiff's Motion. Exhibit B to the Declaration of Jordan B. Fernandes in Support of PDL BioPharma,

Inc.'s Responsive Brief in Opposition to Eli Lilly and Company's Motion to Dismiss

Under Rules 12(b)(1) and 12(b)(6) shall be maintained under seal.

IT IS SO ORDERED.

Date: 5/21/2024



M. Kendra Klump
United States Magistrate Judge
Southern District of Indiana

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